

### SECTION: REMARKS

This reply is submitted pursuant to 35 U.S.C. §132 and 37 C.F.R. §1.111. The Office Action was carefully considered by the undersigned attorney and applicant. Reconsideration of the application is respectfully requested.

#### **1. Summary of the Office Action.**

Claims 1-20 were pending.

Claims 1-7, 9-18 and 20 stand rejected under 35 U.S.C §102(b) over Pawlos (USP4971609)

Claims 1-3, 6-8, 11, 17 and 20 stand rejected under 35 U.S.C §102(b) over Keefer (USP4968329)

Claim 19 is allowed.

#### **2. Discussion.**

Applicants acknowledge with thanks the finding of allowable subject matter in this application.

#### **Disclosure Informality**

Applicants discovered a minor informality in the specification and drawings, namely that the vacuum generator was erroneously marked "32" when it should be marked --33--. The specification and drawing are corrected and await the examiner's approval.

#### **Claim Rejections - 35 USC §102**

**Claim 1.** This claim was rejected under 35 USC §102 as being anticipated by Pawlos and Keefer.

Neither applied reference meets each and every limitation set forth in the claim, in particular an apparatus for purging and inflating an external article including a vacuum generator communicatively connected to a valve.

**Pawlos** shows an oxygen concentrator used for example as a portable medical oxygen device. The oxygen concentrator includes a venturi tube 36. Referring to Fig. 1 and column 5, lines 5-9, the tube functions as a gas flow regulator. There is no disclosure or suggestion that the tube be used as a vacuum generator. It is disposed and connected in the system 10 only for oxygen flow regulation. Although the Pawlos apparatus has a purging function, it is for removing impurities within the apparatus as opposed to an external article (See column 4, lines 43-51).

**Keefer** discloses a gas separation system which utilizes pressure swing adsorption. Figure 4 shows an embodiment 200 used for oxygen concentration in medical applications which has a reciprocating vacuum pump 225. Figure 8 shows a separate and distinct embodiment 700 which has a valve 740. The vacuum pump and valve are not disclosed as being connected or even related. No embodiment is disclosed as being used specifically for purging and inflating an article.

As the references relied upon do not individually, or in combination with each other show, suggest or render obvious the article purging and vacuum generator (connected to a valve) elements of the claim, the claim is patentable and withdrawal of this rejection is warranted.

**Claim 5.** This dependent claim stands rejected under 35 USC 102(b) over Pawlos. This claim requires that the vacuum generator be connected to the outlet port and to the exhaust port of the 4 way valve. This structure and function is not shown or suggested in the applied references which,

in contrast, show no direct connection between the valve and the venturi tube in Pawlos, and no connection whatsoever between the valve and vacuum pump in Keefer. These differences are believed to be patentably significant because they relate to advantages Applicants' invention has in terms of portable tire purging and inflating, particularly for high performance racing vehicles. The claim is believed to be patentable for this reason in addition to those urged with respect to its base claim above.

**Claim 14.** This dependent claim stands rejected under 35 USC 102(b) over Pawlos. This claim requires a venturi vacuum generator with inlet connected to the valve, exhaust connected to atmosphere and venturi port also connected to valve. This structure and function is not shown or suggested in the applied references which, in contrast, show venturi port 36c connected to atmosphere. Applicants' invention has the advantage of powering vacuum suction with the existing pressurized gas used for inflation, without the need for a complex and expensive vacuum pump. The claim is believed to be patentable for this reason in addition to those urged with respect to its base claim above.

**Claim 20.** This claim was rejected under 35 USC §102(b) as being anticipated by Pawlos and Keefer. The claim is amended to clarify the invention, whereby it is believed that the examiner may better appreciate the differences with respect to the applied prior art. Specifically, it is clarified that the valve is actuated to establish a connection with the vacuum generator for article purging and to terminate the connection and permit direct flow of pressurized gas to the article for inflation. This structure and function of the invention is not literally shown, suggested or made obvious by Pawlos or Keefer. In contrast, Pawlos lacks a vacuum generator completely, and Keefer's vacuum

pump is not connected and does not operate by these steps. These differences are patentably significant as discussed above. The amendment is believed to better clarify that the claim does not literally cover the applied prior art. However, by making the amendment, applicant does not intend to surrender any equivalents of the claim element not found in the prior art. Withdrawal of the rejection is requested.

**Claim 21.** This new dependent claim requires that the valve be actuatable to selectively communicatively connect the vacuum generator to the article interface assembly to purge the article of gas and to selectively communicatively connect the gas input assembly to the article interface assembly to inflate the article with gas. This structure and function is not shown or suggested in the applied references. The claim is believed to be patentable for this reason in addition to those urged with respect to its base claim above.

**Remaining Claims.** The remaining dependent claims each adds at least one limitation to the elements of its base claim, and is therefore deemed to be allowable with such base and any intervening claim, at least for this reason.

### **3. Conclusion.**

The claims pending after this amendment are believed to be patentable for the reasons stated above. The amendments are believed to be supported by the specification, claims and drawings as filed. It is believed that this case is now in a condition for allowance. Reconsideration and favorable action are respectfully requested.

**Should the Examiner believe that telephone communication would advance the prosecution of this case to finality, he is invited to call at the number below.**

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a), provided a Petition is not submitted separately.

Please charge any fee due not paid by a check or credit card provided herewith, and/or charge any underpayment in any fee, and/or credit any overpayment in fee, to Deposit Account No. 19-2381.

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	<u>Number</u>	<u>Fee</u>
TOTAL claims remaining over that previously paid for:	1	\$25.00
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	SUM claim fees:	\$0
EXTENSION fees:		\$0
OTHER fees:		\$0
	<u>TOTAL AMOUNT (if any)</u>	\$25.00

☐ Paid by enclosed check.

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Respectfully submitted,



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#### SECTION: DRAWING AMENDMENTS

Pursuant to 37 CFR 1.84, please amend the drawings with reference to the papers labeled "Annotated Marked-up Drawings", which are also presented in the APPENDIX.

Changes are shown relative to the immediate prior version of each sheet.